

EXHIBIT NO. 10

**D.S., ET AL. vs CITY OF HUNTINGTON PARK, NICK NICHOLS, ET AL.**  
**Nick Nichols on 11/18/2024**

1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA

3

4 D.S., a minor by and through his )  
guardian ad litem Elsa Acosta, )  
5 individually and as successor-in- )  
interest to William Salgado; C.S., a )  
6 minor by and through his guardian ad )  
litem Elsa Acosta, individually and )  
7 as successor-in-interest to William )  
Salgado; J.S., a minor by and through )  
8 her guardian ad litem Elsa Acosta, )  
individually and as successor-in- )  
9 interest to William Salgado; M.S., a )  
minor by and through her guardian ad )  
10 litem Elsa Acosta, individually and )  
as successor-in-interest to William )  
11 Salgado, )  
12 Plaintiffs, )  
13 vs. ) Case No.  
2:23-CV-09412-CBM-AGR  
14 CITY OF HUNTINGTON PARK; NICK NICHOLS, )  
RENE REZA; MATTHEW RINCON; APRIL )  
15 WHEELER and DOES 5 through inclusive, )  
16 Defendants. )  
\_\_\_\_\_ )

17

18 REMOTE VIDEOCONFERENCE DEPOSITION OF

19 NICK NICHOLS

20 MONDAY, NOVEMBER 18, 2024

21

22

23 Reported Stenographically By:

24 Jinna Grace Kim, CSR No. 14151

25 Job No.: 115433

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RENE REZA; MATTHEW RINCON; APRIL )  
15 WHEELER and DOES 5 through inclusive, )  
16 Defendants. )  
17

18 The remote videoconference deposition of NICK  
19 NICHOLS, taken on behalf of the Plaintiffs, beginning at  
20 10:03 a.m., and ending at 1:05 p.m., on Monday, November 18,  
21 2024, before Jinna Grace Kim, Certified Stenographic  
22 Shorthand Reporter No. 14151.  
23  
24  
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1 CALIFORNIA

2 MONDAY, NOVEMBER 18, 2024

3 10:03 A.M.

4 NICK NICHOLS,

5 called as a witness on behalf of the Plaintiffs, having been  
6 first duly sworn remotely via videoconference, was examined  
7 and testified as follows:

8 EXAMINATION

9 BY MR. GALIPO:

10 Q. Can you please state your name and spell it for the  
11 record.

12 A. My name is Nick Nichols, N-i-c-h-o-l-s.

13 Q. Who do you currently work for?

14 A. City of Huntington Park.

15 Q. What is your current assignment?

16 A. I'm assigned as a -- I'm a police officer with the  
17 title of corporal and assigned to the K-9 Unit under the  
18 patrol unit.

19 Q. Were you able to hear me?

20 I don't know if you froze for a second.

21 A. Yeah. As far as my --

22 Q. I'm sorry. You know, I got a little signal that my  
23 connection was unstable which is very rare here. I might  
24 have my tech people help me.

25 But I had asked you to how long you had been a law

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1 enforcement officer.

2 I don't know if you were able to hear that.

3 A. My apologies. I did not hear that.

4 I can answer your question, though.

5 I'm going on 23 years.

6 Q. And with respect to your education background, I'm  
7 assuming you graduated high school?

8 A. Yes, sir.

9 Q. And what year did you do that in?

10 A. 1997.

11 Q. Did you play any sports in high school?

12 A. I did.

13 Q. What sports did you play?

14 A. I played water polo, baseball, and I swam on the  
15 swim team.

16 Q. And after high school did you go to any college?

17 A. Yes.

18 Q. And can you tell me about that, please.

19 A. I attended Golden West Community College.

20 Q. And what time frame were you there?

21 A. From around 1997 to 2000.

22 Q. Did you study anything in particular?

23 A. Criminal Justice as well as General Studies.

24 Q. Any military experience?

25 A. No.

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1 A. Well, not the best, but it was the stairwell that  
2 was cover for me. I also had a little nook because where I  
3 was positioned, because it's a north, there was an area where  
4 I could recede into if it was necessary. In my mind if he  
5 was going to start shooting, I could have dipped in there.

6 Q. At any time did you see a gun in Mr. Salgado's  
7 hand?

8 A. No.

9 Q. Did you ever see a gun on his person?

10 A. No.

11 Q. Do you recall there being some attempted  
12 conversation about Mr. Salgado's kids?

13 A. I want to say maybe Officer Rincon spoke about that  
14 with him.

15 Q. Do you recall Salgado saying something to the effect  
16 "I have lost everything?"

17 A. Yes.

18 Q. Do you recall him saying something to the effect,  
19 "Just fucking do it?"

20 A. Yes.

21 Q. And when he said, "Just fucking do it," what did you  
22 think he was referring to?

23 A. He said it multiple times from my memory, and I  
24 perceived it as maybe taking his life.

25 Q. Meaning, for the officers to shoot him, to take his



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1 MR. GALIPO: Kent, are you good?

2 MR. HENDERSON: I did want to ask a couple more  
3 questions if I could.

4 MR. GALIPO: Sure.

5 EXAMINATION

6 BY MR. HENDERSON:

7 Q. Officer Nichols, did Mr. Salgado before you shot  
8 him, in the moments before you shot him, did he put his hands  
9 in the air in a position of surrender?

10 Did that happen?

11 A. I did --

12 MR. COLVIN: Objection. Calls for speculation.

13 You can respond.

14 THE WITNESS: I did not see that.

15 BY MR. HENDERSON:

16 Q. Are you saying that never happened; that Mr. Salgado  
17 did not before you shot him, put his hands in the air in a  
18 position of surrender?

19 Is that your testimony; that never happened, true?

20 MR. COLVIN: Objection. Asked and answered; calls  
21 for speculation.

22 BY MR. HENDERSON:

23 Q. Is that your testimony? It never happened?

24 A. My testimony is I did not observe that.

25 Q. Is it fair to say that if Mr. Salgado had been in a

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1 position of surrender with his hands in the air, you would  
2 not have shot him; is that true?

3 MR. COLVIN: Objection. Calls for speculation;  
4 lacks foundation; incomplete hypothetical.

5 You can respond.

6 THE WITNESS: Well, in this assumption is he still  
7 advancing towards us with the knife, or is he stopped?

8 BY MR. HENDERSON:

9 Q. Let's say he has stopped and he has his hands in the  
10 air.

11 MR. COLVIN: Objection. Lacks foundation; calls for  
12 speculation; incomplete hypothetical.

13 But you can respond.

14 THE WITNESS: With that assumption in mind, can you  
15 repeat the question, please.

16 BY MR. HENDERSON:

17 Q. Sure. Let's say Mr. Salgado stops; he puts his hand  
18 in the air in a position of surrender, is it fair to say that  
19 at that moment you would not have shot him?

20 MR. COLVIN: Same objections.

21 THE WITNESS: Yes, that is fair to say.

22 MR. LEVINE: All right. I don't have anything  
23 else.

24 MR. GALIPO: Nothing further.

25 MR. COLVIN: Nothing on my end.

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1 MR. GALIPO: Okay. Let's go off the record.

2 (Deposition proceeding concluded at 1:05 p.m.)

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1 DECLARATION UNDER PENALTY OF PERJURY

2

3 Case Name: D.S., a minor et al. vs. City of Huntington Park,  
4 et al.

5 Date of Deposition: November 18, 2024

6 Job No.: 115433

7

8 I, \_\_\_\_\_, hereby certify

9 under penalty of perjury under the laws of the State of

10 California that the foregoing is true and correct.

11 Executed this \_\_\_\_\_ day of \_\_\_\_\_,

12 20\_\_\_\_, at \_\_\_\_\_, California.

13

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\_\_\_\_\_  
NICK NICHOLS

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1 CERTIFICATE  
2 OF  
3 CERTIFIED STENOGRAPHIC SHORTHAND REPORTER  
4

5 I, JINNA GRACE KIM, CSR No. 14151, a Certified  
6 Stenographic Shorthand Reporter of the State of California,  
7 do hereby certify:

8 That the foregoing proceedings were taken before me  
9 at the time and place herein set forth;

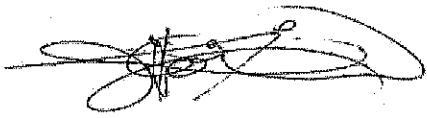
10 That any witnesses in the foregoing proceedings,  
11 prior to testifying, were placed under oath;

12 That a verbatim record of the proceedings was made  
13 by me, using machine shorthand, which was thereafter  
14 transcribed under my direction;

15 Further, that the foregoing is an accurate  
16 transcription thereof.

17 I further certify that I am neither financially  
18 interested in the action, nor a relative or employee of any  
19 attorney of any of the parties.

20  
21 IN WITNESS WHEREOF, I have subscribed my name, this  
22 date: November 18, 2024.

23  
24   
25 Jinna Grace Kim, CSR No. 14151

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1 DEPOSITION ERRATA SHEET

2 Case Name: D.S., a minor et al. vs. City of Huntington Park,  
3 et al.

4 Witness: Nick Nichols

5 Date of Deposition: November 18, 2024

6 Job No.: 115433

7 Reason Codes: 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10

11 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

12 From \_\_\_\_\_ To \_\_\_\_\_

13 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

14 From \_\_\_\_\_ To \_\_\_\_\_

15 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

16 From \_\_\_\_\_ To \_\_\_\_\_

17 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

18 From \_\_\_\_\_ To \_\_\_\_\_

19 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

20 From \_\_\_\_\_ To \_\_\_\_\_

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24 From \_\_\_\_\_ To \_\_\_\_\_

25 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

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1 DEPOSITION ERRATA SHEET

2 From \_\_\_\_\_ To \_\_\_\_\_

3 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

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12 From \_\_\_\_\_ To \_\_\_\_\_

13 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

14 From \_\_\_\_\_ To \_\_\_\_\_

15 Page \_\_\_\_\_ Line \_\_\_\_\_ Reason \_\_\_\_\_

16 From \_\_\_\_\_ To \_\_\_\_\_

17

18 \_\_\_\_\_ Subject to the above changes, I certify that the  
19 transcript is true and correct.

20 \_\_\_\_\_ No changes have been made. I certify that the  
21 transcript is true and correct.

22

23

24

NICK NICHOLS

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